

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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GARY LA BARBERA, LAWRENCE KUDLA,  
THOMAS GESUALDI, LOUIS BISIGNANO,  
FRANK FINKEL, JOSEPH FERRARA, FRANK  
DIMENNA, and ROBERT CARLINO as  
Trustees and Fiduciaries of the  
Local 282 Welfare, Pension, Annuity  
and Job Training Trust Funds,

Plaintiffs,

against

ORDER

04-CV-3824 (JS)(ARL)

STATE-LINE EXCAVATORS CORP.,

Defendant.

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Appearances:

For Plaintiff: Anusha Rasalingam, Esq.  
Friedman & Wolf  
1500 Broadway  
New York, New York 10036

For Defendants: No Appearance

SEYBERT, District Judge:

Pending before the Court is Magistrate Judge Arlene R. Linsday's Report and Recommendation, dated January 5, 2007. The Magistrate recommended that the Court award Plaintiffs the following: (1) delinquent contributions in the amount of \$34,365.47; (2) interest at a rate of 16% on \$34,365.47 from August 2000 up to and including the date of entry of judgment; (3) an additional amount equaling interest at a rate of 16% on \$34,365.47 from August 2000 up to and including the date of entry of judgment; (4) attorneys' fees in the amount of \$16,875.00; and (5) costs in the amount of \$997.50. Defendant was served with a copy of this Report on January 5, 2007. Defendant did not object to the Report.

After reviewing the Report and Recommendation, to which no party has objected,<sup>1</sup> the Court ADOPTS the Report and Recommendation in its entirety. The Clerk of the Court is ordered to enter a judgment of default against Defendant in the amount stated above.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York  
March 29, 2007

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<sup>1</sup> As no party has objected to the Report and Recommendation, all objections are deemed waived. See 28 U.S.C. § 636(b)(1); FED R. CIV. P. 72; Beverly v. Walker, 118 F.3d 900, 902 (2d Cir. 1997); Savoie v. Merchants Bank, 84 F.3d 52, 60 (2d Cir. 1996).